

**REMARKS**

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. After amending the claims as set forth above, claims 19-37 are now pending in this application.

Applicants wish to thank the Examiner for the careful consideration given to the claims.

**Prior art rejection**

Claims 19-25 are rejected under 35 U.S.C. 102( b) as being anticipated by U.S. Patent 6,230,795 ("Tsunooka"). For at least the following reasons, this rejection is traversed.

Claim 19 (as amended) recites among other things, that at least one of the housing segments is an insertion part which comprises at least one functional unit, with at least one means for air conduction, a warm air feed, a cold air feed, at least one mixer valve, or any combination thereof. The insertion part can be inserted into a receiving space in the remainder of the housing of the heating and/or air conditioning system such that a plurality of external wall portions of the insertion part abutting and adjacent to external wall portions of the remainder of the housing form an exterior surface of the housing along with the abutting and adjacent external wall portions of the remainder of the housing. The housing is configured to be installed on or about an obstacle that runs through the receiving space between the insertion part and the remainder of the housing. Tsunooka does not teach or suggest this combination of features.

For instance, Tsunooka does not teach or suggest a housing being configured to be installed on or about an obstacle that runs through the receiving space between the insertion part and the remainder of the housing. In the Office Action, the rejection is a little unclear as to which element of Tsunooka is considered the insertion part. The figure on page 4 of the Office Action seems to suggest that the air duct 37 is considered by the PTO to be either the insertion part or the receiving part of claim 19. Regardless of whether the air duct 37 of Tsunooka is the insertion part or the receiving part, the system of Tsunooka does not teach or suggest that an obstacle can be run through a receiving space between the air duct 37 and the rest of the system of Tsunooka. Accordingly, Tsunooka does not teach or suggest all the features of claim 19, and claim 19 is allowable over Tsunooka.

Claims 20-25 depend from and contain all the feature of claim 19, and are allowable for the same reasons as claim 19, without regard to the further patentable features contained therein.

For at least these reasons, favorable reconsideration of the rejection is respectfully requested.

Allowability of claims 26-37

Claims 26-30 depend from and contain all the feature of claim 19, and are allowable for the same reasons as claim 19, without regard to the further patentable features contained therein.

Claim 31 recites, among other things, that at least one of the housing segments is an insertion part. The insertion part can be inserted into a receiving space in the remainder of the housing of the heating and/or air conditioning system such that a plurality of external wall portions of the insertion part adjacent to external wall portions of the remainder of the housing forms an exterior surface of the housing along with the adjacent external wall portions of the remainder of the housing. The insertion part comprises two mixing flaps for thermally controlling air. The remainder of the housing comprises two inlet openings and two discharge openings. Tsunooka does not teach or suggest this combination of features. For instance, Tsunooka does not teach or suggest an insertion part comprising two mixing flaps and the remainder of the housing comprises two inlet openings and two discharge openings. Regardless of whether the air duct 37 of Tsunooka is considered by the PTO to be the insertion part or the receiving part, the air duct 37 of Tsunooka does not have either two mixing flaps or the combination of two inlet openings and two discharge openings. Accordingly, Tsunooka does not teach or suggest all the features of claim 31, and claim 31 is allowable over Tsunooka.

Claims 32-37 depend from and contain all the feature of claim 31, and are allowable for the same reasons as claim 31, without regard to the further patentable features contained therein.

For at least these reasons, allowance of claims 26-37 is respectfully requested.

Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 2/10/09

By P.D.S.

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5540  
Facsimile: (202) 672-5399

Paul D. Strain  
Registration No. 47,369

Matthew J. Kremer  
Registration No. 58,671